

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MINNESOTA (DULUTH)

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Gary James Vad and  
Charity Sue Vad,

Debtors,

Chapter 7

Bankruptcy case No.: 04-50139

Adv. No.: 04-5019

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Northern State Bank of Gonvick,

Plaintiff,

Vs.

Gary James Vad,

Defendant.

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ANSWER TO COMPLAINT

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Defendant, Gary James Vad, for his answer to the complaint of the Plaintiff states and alleges as follows:

1. The Defendant denies each and every allegation, statement or assertion contained in said complaint unless expressly admitted, qualified or otherwise explained.

2. The Defendant acknowledges the existence of exhibit A, B, and C attached to the Plaintiff's complaint. However, with respect to exhibit B, Gary Vad was advised by the loan officer at the time to simply provide estimates of his assets.

3. The answering Defendant affirmatively alleges that he is not converted any security pledged to the Plaintiff pursuant to the documentation attached to the complaint as exhibits A, B, and C.

4. The answering Defendant and his wife, Charity Vad, have been and continue to cooperate with the Plaintiff in turning over all machinery, equipment, and tools secured in favor of the Plaintiff except for any tools or equipment which might have been claimed as exempt and for which a lien avoidance will be filed under 11 U.S.C. § 522(f).

5. That the Plaintiff's complaint is defective in that it does not specify the statutory provision providing jurisdiction of the court relative to this proceeding.

WHEREFORE, the Defendant, Gary James Vad, prays for the Judgment, Decree of the Court granting providing as follows:

1. Dismissing the Plaintiff's complaint with prejudice and granting to the Defendant his reasonable attorneys fees and costs along with such other and further relief as to the court may seem just and equitable.

Dated this 19<sup>th</sup> of May, 2004

/e/ Kevin T. Duffy  
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